

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>09-05-08</u>
--

M. SHANKEN COMMUNICATIONS, INC.,

Plaintiff,

07 Civ. 7371 (JGK)

- against -

ORDER

CIGAR500.COM, et al.,

Defendants.

JOHN G. KOELTL, District Judge:

Having reviewed the parties' papers, and having heard from the parties at a conference on September 4, 2008, the Court makes the following rulings:

1. The motion by Orrick, Herrington & Sutcliffe, LLP, to withdraw as counsel for defendant Cigar500.com is **granted**. The Clerk is directed to close Docket No. 31.

2. The Orrick firm is directed to transfer promptly all relevant papers concerning this case to Anthony Masciangelo so that he can transfer them to new counsel.

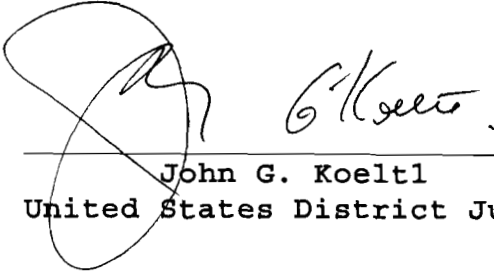
3. This action is stayed until **October 6, 2008** to allow Cigar 500.com to appear by new counsel. If Cigar500.com fails to appear by new counsel by **October 6, 2008**, the plaintiff can move by Order to Show Cause why a default judgment should not be entered against the defendant.

4. Mr. Masciangelo has filed a motion to dismiss based on forum non conveniens. Any further papers in support of the

motion, including any papers by Cigar500.com after it is represented by counsel, shall be filed by **October 17, 2008**. Any further responsive papers by the plaintiff shall be filed by **October 31, 2008**. Any reply papers shall be filed by **November 7, 2008**.

SO ORDERED.

Dated: New York, New York
September 4, 2008



John G. Koeltl
United States District Judge